

we can sell food to Cuba. Last year, for the first time in 42 years, 22 train carloads of dried peas left North Dakota's farms and elevators to be shipped to Cuba.

Using food as a weapon, as we have done for four decades with Cuba, does not hurt Fidel Castro. Does anybody here think he has missed a meal in 42 years because we have an embargo on food shipments to Cuba? Does anybody think Fidel Castro misses breakfast, dinner, or lunch? Absolutely not.

Using food as a weapon hurts sick people, poor people, and hungry people, and it is basically an immoral policy, in my judgment.

The issue of trade and travel is important. It is not in any way supportive of Fidel Castro for us to say a 40-year embargo does not work and that the same strategy we use with respect to China and Vietnam does work, and that is engagement through trade and travel. It undermines the ground on which dictators sit. It undermines their capability to govern, and that is what we ought to do.

This afternoon, we are marking up the Agriculture appropriations bill, and I am going to offer an amendment to that bill. We have U.S. agricultural experts who have been denied the opportunity to go to Cuba to sell American agricultural products. As I said, Senator Ashcroft and I opened the door just a bit, and we have been selling some products to Cuba. But in order to do that, Cuba has to run the transaction through a French bank because it cannot even be run through a U.S. financial enterprise. It makes no sense to me, but that is the restriction.

I am going to offer an amendment that says at least those who are moving back and forth to sell and buy agricultural commodities ought to be able to travel. Let's at least begin the first step dealing with this issue of travel.

I will end by saying again, it is illogical, in my judgment, to attempt to injure Fidel Castro by restricting the right of the American people to travel. Does anybody really think that at the Treasury Department today we have these folks in gray suits and tiny little glasses, and probably green eyeshades, pouring over all this data—what are they looking for? Are they looking for financial information to track terrorists to put terrorists in jail? No, that is not what they are looking for. They are trying to find a grandmother from Illinois who answered an ad for a bicycling trip in Cuba so they can fine her \$10,000 and attach her Social Security checks. Shame on them. Yes, that is what the law says. Shame on us. In my judgment, we ought to change the law. It does not make any sense.

My hope is that perhaps with my colleague, Senator ENZI, who just left the Chamber, and others—Republicans and Democrats—who believe the restricting of the right of the American people to travel makes no sense at all, my hope is that Republicans and Democrats can work together to change this law and stop OFAC from doing what it is now doing. It is hard to find adjectives to

describe the basic stupidity of our country chasing little old ladies who ride a bicycle in Cuba and levying \$10,000 fines on them and then saying: If you do not pay it, we will attach your Social Security check.

Why are we doing that? Because we are saying a person cannot travel, or we are restricting their right to travel because we want to injure Fidel Castro. The way to injure Fidel Castro is the way we have done with China and Vietnam, which are Communist countries, and that is engagement through trade and travel that undermines the governments of those countries. That is what we ought to do with Cuba.

I yield the floor.

EXECUTIVE SESSION

NOMINATION OF LONNY R. SUKO, TO BE UNITED STATES DISTRICT JUDGE, FOR THE EASTERN DISTRICT OF WASHINGTON

The PRESIDING OFFICER (Mr. SESSIONS). Under the previous order, the Senate will now go into executive session to consider the nomination of Lonny R. Suko, which the clerk will report.

The legislative clerk read the nomination of Lonny R. Suko, to be United States District Judge for the Eastern District of Washington.

The PRESIDING OFFICER. Under the previous order, the Senator from Washington is recognized.

Mrs. MURRAY. Mr. President, my colleagues will be voting momentarily on the nomination of Lonny Suko, and I rise today to support his nomination for U.S. District Court Judge for the Eastern District of Washington State.

Lonny Suko is a distinguished lawyer and U.S. magistrate judge from my home State of Washington. I am honored to support his confirmation as a district court judge. He was unanimously reported out of the full Judiciary Committee on July 10. Judge Suko has strong bi-partisan support, and for good reason. He has handled some of the most difficult cases in Eastern Washington in the past decade, and he has won the respect of everyone who has come before him. That is one of the reasons why Judge Suko enjoys such strong support from a diverse group of attorneys and community leaders in Washington State.

Both Senator CANTWELL and I assisted the President in choosing him from a list of very qualified candidates. Lonny Suko has spent his life living and serving Eastern Washington. He is a graduate of my alma mater, Washington State University, and of the University of Idaho School of Law. He has had a distinguished career as a lawyer and a U.S. magistrate judge. In private practice, Lonny Suko had a successful practice defending both plaintiffs and defendants in a variety of tort, contract, creditor-debtor, and public sector cases. He has also distinguished himself as a U.S. magistrate judge, serving part-time from 1971 to 1991, and full time since 1991. As I men-

tioned, Judge Suko handled some of the most challenging cases in recent history in Eastern Washington. He heard the injury and death claims of more than two dozen plaintiffs who were victimized by a gunman at Fairchild Air Force Base in the early 1990's. He was involved in several other high profile settlements.

In all of those cases, Judge Suko won high praise for his judicial demeanor, his fairness and his respect for all parties. Judge Suko clearly meets the standards of fairness, even-handedness, and adherence to the law that we expect of our Federal judges. Outside of his many professional credentials, I have met with him, and have been impressed by his professionalism and decency. Therefore, it is my pleasure to support for confirmation to the Federal bench such a great lawyer and judge who I believe will make an exceptional Federal judge. He has served the people of our State well. I urge my colleagues to support his nomination.

I yield the floor.

Mr. LEAHY. Mr. President, this nomination from Washington State has the support of the Democratic Senators from that State. Senator MURRAY and Senator CANTWELL have both worked hard to establish a bipartisan process for making recommendations to the President for Federal judicial vacancies in their State. They are to be commended for their work. They support the nomination of Lonny R. Suko, whose nomination is a product of Washington's bipartisan selection commission.

With this confirmation today, the third so far this week, the Senate will have confirmed 136 judicial nominees of this President. These include 36 confirmed just this year. That number equals the number of judges confirmed during all of 1997, exceeds the 34 judges confirmed in all of 1999, and is more than double the number of judges confirmed in the entire 1996 session. Thus, we are well ahead of the pace that the Republican majority used to maintain when reviewing President Clinton's nominees.

We have reduced judicial vacancies to the lowest number in 13 years and currently have more Federal judges on the bench than at any time in our history.

Working with home State Senators from both parties helps make the confirmation process proceed more smoothly as we have demonstrated over and over and demonstrated again today.

I congratulate the nominee and his family on his confirmation today.

Ms. CANTWELL. Mr. President, I am very pleased that the Senate will be acting today to confirm Lonny Suko as a District Court Judge for Eastern Washington.

Lonny Suko is extremely well qualified. He has been a full-time Federal

magistrate judge in Yakima, WA, since 1995. And before that he was a part-time magistrate judge from 1971 until 1991. With 28 years of experience on the Federal bench, elevating him to be a Federal district court judge is a natural step.

Lonny Suko's nomination is the result of the hard work of an eastern Washington-based judicial selection committee. The selection committee process was negotiated between the White House, Senator MURRAY, and myself. Six qualified members of the legal community in Eastern Washington selected by our local Members of Congress and by Senator MURRAY and myself put in long hours interviewing and selecting three qualified candidates to send to the President. The White House agreed with my judgment that Lonny Suko was the most qualified candidate for this position.

Prior to his full-time work as a U.S. magistrate judge, Lonny Suko was also a partner in the firm of Lyon, Weigand & Suko, where his career in private practice involved extensive representation of plaintiffs and defendants in civil litigation as well as extensive mediation experience. Though he has lived in Yakima for the past 30 years, Mr. Suko has connections throughout eastern Washington. He is originally from Spokane, graduated Phi Beta Kappa from Washington State University in Pullman, and started his legal career as a clerk to Judge Charles L. Powell, who was then the Chief Judge of the Eastern District of Washington in Spokane.

We wish Judge Suko well in his new position and have confidence that he will be an excellent addition to our distinguished Federal bench.

Mr. HATCH. Mr. President, I rise today in support of the nomination of Magistrate Judge Lonny R. Suko to be a U.S. District Court Judge for the Eastern District of Washington.

Judge Suko has been part of the Washington legal community for over three decades. After graduating from law school in 1968, Judge Suko clerked for the Honorable Charles L. Powell in the Eastern District of Washington. In 1969, he joined the Lyon Law Offices, where he served as associate, partner, and shareholder. As an attorney, Judge Suko litigated primarily civil matters.

In 1971, Judge Suko was appointed part-time United States magistrate judge, a position he held while practicing law full time until 1991 when the position was discontinued. In 1995, Judge Suko ascended to the bench once again when he was appointed as a full-time Federal Magistrate Judge for the United States District Court Eastern District of Washington. As a magistrate judge, Judge Suko presides over both criminal and civil matters.

Judge Suko has been rated unanimously well qualified by the American Bar Association, and enjoys bipartisan support. I am confident Judge Suko will make an excellent Federal judge. I commend President Bush for nomi-

nating him and urge my colleagues to join me in supporting this nomination.

Mrs. MURRAY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. Mr. President, have the yeas and nays been ordered on this judicial nomination?

The PRESIDING OFFICER. They have not.

Mr. LOTT. I suggest that we move to the vote. Is there a prearranged time?

The PRESIDING OFFICER. The vote is to occur at 12:15.

Mr. LOTT. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Lonny R. Suko to be a United States District Judge for the Eastern District of Washington?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from New Hampshire (Mr. SUNUNU) is necessarily absent.

Mr. REID. I announce that the Senator from North Carolina (Mr. EDWARDS), the Senator from Florida (Mr. GRAHAM), the Senator from Massachusetts (Mr. KERRY), the Senator from Connecticut (Mr. LIEBERMAN), and the Senator from Georgia (Mr. MILLER) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote "aye".

The result was announced—yeas 94, nays 0, as follows:

[Rollcall Vote No. 276 Ex.]

YEAS—94

Akaka	Craig	Kennedy
Alexander	Crapo	Kohl
Allard	Daschle	Kyl
Allen	Dayton	Landrieu
Baucus	DeWine	Lautenberg
Bayh	Dodd	Leahy
Bennett	Dole	Levin
Biden	Domenici	Lincoln
Bingaman	Dorgan	Lott
Bond	Durbin	Lugar
Boxer	Ensign	McCain
Breaux	Enzi	McConnell
Brownback	Feingold	Mikulski
Bunning	Feinstein	Murkowski
Burns	Fitzgerald	Murray
Byrd	Frist	Nelson (FL)
Campbell	Graham (SC)	Nelson (NE)
Cantwell	Grassley	Nickles
Carper	Gregg	Pryor
Chafee	Hagel	Reed
Chambliss	Harkin	Reid
Clinton	Hatch	Roberts
Cochran	Hollings	Rockefeller
Coleman	Hutchison	Santorum
Collins	Inhofe	Sarbanes
Conrad	Inouye	Schumer
Cornyn	Jeffords	Sessions
Corzine	Johnson	Shelby

Smith
Snowe
Specter
Stabenow

Stevens
Talent
Thomas
Voinovich

Warner
Wyden

NOT VOTING—6

Edwards
Graham (FL)

Kerry
Lieberman

Miller
Sununu

The nomination was confirmed.

Mrs. MURRAY. I move to reconsider the vote and move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative action.

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 having arrived, the Senate stands in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:43 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. ALLARD).

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2004—Continued

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, Senator BYRD is still occupied in the caucus. It has not terminated yet. I don't think this will in any way offend the two managers of the bill. I ask unanimous consent that the Senator from South Dakota be recognized for 20 minutes and following that Senator BYRD will be recognized. The order now in effect would have Senator BYRD recognized at 2:15. He will be recognized at 2:35; Senator JOHNSON will speak now for 20 minutes. I ask unanimous consent that that be the case.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from South Dakota.

Mr. JOHNSON. Mr. President, I approach the current Department of Defense appropriations bill and our current status in Iraq and the Middle East from somewhat of a unique circumstance: as a Senator but also the father of a soldier who has served in Iraq. My oldest son Brooks, a staff sergeant with the 101st Airborne Infantry over the past roughly 5 years, has now served in four wars—in Bosnia, Kosovo, Afghanistan, and most recently Iraq. I appreciate profoundly how much our Nation owes to our military. These young men and women are professional. They are skilled. They are courageous. They are taking on a job few other Americans would want to do for any amount of compensation. We can take great pride in America that our military is the finest in the world.